IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

WP(C).No. 13586 of 2007(P)

PETITIONERS:
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1. **THRIKKAKARA SATELLITE TOWNSHIP OWNERS ASSOCIATON, KAKKANAD WEST P.O., KOCHI-30, (REGISTRATION NO.ER.126/83), REPRESENTED BY ITS SECRETARY, ANITHA UMMER, HOUSE NO.1061.**

2. **ANITHA UMMER, HOUSE NO.A 1061, SECRETARY, THRIKKAKARA SATELLITE TOWNSHIP OWNERS ASSOCIATION, KAKKANAD WEST P.O., KOCHI-30, (REGISTRATION NO.ER.126/83).**

BY ADV. SRI.P.V.MADHAVAN NAMBIAR,
SRI.S.M.PREM,
SMT.K.P.SANTHI.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, TRIVANDRUM.**

2. **KERALA STATE HOUSING BOARD, REPRESENTED BY ITS SECRETARY, SANTHI NAGAR BUILDING, VELLAYAMBALAM, THIRUVANANTHAPURAM.**

3. **EXECUTIVE ENGINEER, KERALA STATE HOUSING BOARD, ERNAKULAM DIVISION, PANAMPILLY NAGAR, KOCHI.**

BY ADV. POOVAPPALLY M.RAMACHANDRAN NAIR,SC.KSHB,
GOVT. PLEADER SRI. BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 13586 OF 2007 - P

Dated this the 16th day of July, 2007

J U D G M E N T

The petitioners challenge the action of the second respondent in proclaiming the sale of Plot No.1038 in the Thrikkakara Satellite Township Housing Scheme, which according to the petitioners, is set apart as common area.

2. The Standing Counsel for the second and third respondents has filed a memo producing the copy of communication dated 5.5.2007 from the third respondent to the second petitioner to the effect that Plot No.1038 which included park, commercial area and play ground in the notification for sale was not included in the sale proceedings. This submission is recorded and the writ petition is closed, without prejudice to the right of the petitioners to approach this Court again, if need arises in future.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007